

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JOSE VALENTIN MORA,  
12 a/k/a Cholo, a/k/a Magic,

13 Defendant.

3:18-CR-057-MMD-WGC  
3:18-CR-055-MMD-WGC

**Preliminary Order of Forfeiture**

14 This Court finds Jose Valentin Mora, a/k/a Cholo, a/k/a Magic, pled guilty to the  
15 following:

16 As to case 3:18-CR-057-MMD-WGC (057) Count 1 of a 14-Count Superseding  
17 Indictment charging him with conspiracy to possess with intent to distribute and to  
18 distribute at least 50 grams of actual methamphetamine and 500 grams of a mixture and  
19 substance containing a detectable amount of methamphetamine in violation of 21 U.S.C. §§  
20 841(a)(1) and 846. Superseding Indictment, ECF No. 192; Change of Plea, ECF No.590;  
21 Plea Agreement, ECF No. 601

22 As to case 3:18-CR-055-MMD-WGC (055) Count 1 of a 2-Count Superseding  
23 Indictment charging him with possession of a firearm by a prohibited person in violation of  
24 18 U.S.C. § 922(g)(1). Superseding Indictment, ECF No. 89; Change of Plea, ECF No.108,  
25 Plea Agreement, ECF No. 109

26 This Court finds Jose Valentin Mora, a/k/a Cholo, a/k/a Magic, agreed to the  
27 forfeiture of the property set forth in the Plea Agreement, the Second Bill of Particulars  
28 (057), the Forfeiture Allegation of the Superseding Indictment (057), and the Forfeiture

1 Allegation of the Superseding Indictment (055). Superseding Indictment (057), ECF No.  
2 192; Second Bill of Particulars (057), ECF No. 236; Change of Plea (057), ECF No. 590Plea  
3 Agreement (057), ECF No. 601 Superseding Indictment (055), ECF No. 89; Change of Plea  
4 (055), ECF No. 108,Plea Agreement (055), ECF No. 109

5 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States  
6 of America has shown the requisite nexus between property set forth in the Plea Agreement,  
7 the Second Bill of Particulars (057), the Forfeiture Allegation of the Superseding Indictment  
8 (057), and the Forfeiture Allegation of the Superseding Indictment (055) and the offenses to  
9 which Jose Valentin Mora, a/k/a Cholo, a/k/a Magic, pled guilty.

10 The following property is (1) any firearm or ammunition involved in or used in any  
11 knowing violation of 18 U.S.C. § 922(g)(1); (2) any property, real or personal, which  
12 constitutes or is derived from proceeds traceable to violations of 21 U.S.C. § 841(a)(1), a  
13 specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), or 21  
14 U.S.C. § 846, conspiracy to commit such offense; (3) any property constituting, or derived  
15 from, any proceeds obtained, directly or indirectly, as the result of violations of 21 U.S.C. §§  
16 841(a)(1) and 846; (4) any property used, or intended to be used, in any manner or part, to  
17 commit, or to facilitate the commission of violations of 21 U.S.C. §§ 841(a)(1) and 846; and  
18 (5) all moneys, negotiable instruments, securities, or other things of value furnished or  
19 intended to be furnished in exchange for a controlled substance or listed chemical in  
20 violation of 21 U.S.C. §§ 841(a)(1) and 846, all proceeds traceable to such an exchange, and  
21 all moneys, negotiable instruments, and securities used or intended to be used to facilitate  
22 any violation of 21 U.S.C. §§ 841(a)(1) and 846, and is subject to forfeiture pursuant to 18  
23 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. §  
24 2461(c); 21 U.S.C. § 853(a)(1); 21 U.S.C. § 853(a)(2); and 21 U.S.C. § 881(a)(6) with 28  
25 U.S.C. § 2461(c):

- 26 1. a Bersa Thunder .380 caliber pistol, bearing serial number C97681;
- 27 2. any and all ammunition;
- 28 3. \$1,000.00 in US Currency seized from Alberto Acosta-Macias at 3503 Postre Ct.;

1       4. \$213.00 in US Currency seized from Jose Mora at 460 E. Grove St.;  
2       5. \$607.00 in US Currency seized from Shawn Cirl at 4986 S. Virginia St.;  
3       6. \$996.00 in US Currency seized from Shawn Cirl at 18119 Cherry Leaf Ct.;  
4       7. \$2,750.00 in US Currency seized from Shawn Cirl at 18119 Cherry Leaf Ct.;  
5       8. \$16,021.00 in US Currency seized from Shawn Cirl at 18119 Cherry Leaf Ct.; and  
6       9. \$3,785.00 in US Currency seized from Shawn Cirl at 18119 Cherry Leaf Ct.

7 (all of which constitutes property).

8       This Court finds that the United States of America may amend this order at any time  
9 to add subsequently located property or substitute property to the forfeiture order pursuant  
10 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

11       This Court finds the United States of America is now entitled to, and should, reduce  
12 the aforementioned property to the possession of the United States of America.

13       NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
14 DECREED that the United States of America should seize the aforementioned property.

15       IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
16 rights, ownership rights, and all rights, titles, and interests of Jose Valentin Mora, a/k/a  
17 Cholo, a/k/a Magic, in the aforementioned property are forfeited and are vested in the  
18 United States of America and shall be safely held by the United States of America until  
19 further order of the Court.

20       IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
21 of America shall publish for at least thirty (30) consecutive days on the official internet  
22 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
23 describe the forfeited property, state the time under the applicable statute when a petition  
24 contesting the forfeiture must be filed, and state the name and contact information for the  
25 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
26 and 21 U.S.C. § 853(n)(2).

27       IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
28 or entity who claims an interest in the aforementioned property must file a petition for a

1 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
2 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
3 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
4 right, title, or interest in the forfeited property and any additional facts supporting the  
5 petitioner's petition and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
7 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal  
8 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty  
9 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days  
10 after the first day of the publication on the official internet government forfeiture site,  
11 [www.forfeiture.gov](http://www.forfeiture.gov).

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
13 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
14 Attorney's Office at the following address at the time of filing:

15 Daniel D. Hollingsworth  
16 Assistant United States Attorney  
17 James A. Blum  
18 Assistant United States Attorney  
19 501 Las Vegas Boulevard South, Suite 1100  
20 Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
22 described herein need not be published in the event a Declaration of Forfeiture is issued by  
23 the appropriate agency following publication of notice of seizure and intent to  
24 administratively forfeit the above-described property.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
26 copies of this Order to all counsel of record.

27 DATED October 18, 2019.

28   
HONORABLE MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

## **CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon counsel of record via Electronic Filing on October 18, 2019.

/s/ Heidi L. Skillin  
HEIDI L. SKILLIN  
FSA Contractor Paralegal